IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Patent Application

Inventors: Amit Bagga et al.

Serial No.: 10/723416

Conf. No.: 2635

Filing Date: 11-26-2003

Art Unit: 2435

Examiner: Patel, Nirav B

Docket No.: 633-038US

Title: Method and apparatus for extracting authentication information from a user

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PRE-APPEAL BRIEF REQUEST FOR REVIEW

The applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

Respectfully,
Amit Bagga et al.

By **/Kiril Dimov/**
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Dear Sir:

PRE-APPEAL BRIEF REMARKS

Claims 1-20 were presented for examination and were rejected. The applicants respectfully traverse.

Double Patenting Rejection of Claims 1, 2, 4-14, and 16-25.

Claims 1, 2, 4-14, and 16-25 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-27 of copending application No. 10/815191 in view of copending Application No. 10/674288.

A terminal disclaimer has been filed concurrently with the notice of appeal, and, therefore, the applicants respectfully submit that the rejection is overcome.

35 U.S.C. 103 Rejection of Claims 1, 8, 13, 20, and 25

Claims 1, 8, 13, 20, and 25 were rejected under 35 U.S.C. 103 as being unpatentable over M. Nelson, U.S. Patent 7,062,655 (hereinafter "Nelson") in view of E. Ogura, U.S. Publication 2004/0078603 (hereinafter "Ogura") and further in view of D. Fallman, U.S. Publication 2004/0107406 (hereinafter "Fallman") and further in view of R. Eitel, U.S. Patent 7,043,521 (hereinafter "Eitel"). The applicants respectfully traverse.

Claim 1 recites:

> A method for generating a password for a user during an enrollment phase, comprising:
>
> presenting said user with a plurality of topics;
>
> receiving a user selection of at least one topic;
>
> receiving one or more personal details from said user associated with said at least one selected topic as proposed password;
>
> performing an Internet search using a query containing one or more keywords derived from said personal details of said proposed password, wherein said Internet search searches contents of the Internet across a plurality of web sites using a search engine tool;
>
> evaluating results of said search relative to one or more predefined thresholds applicable to said at least one selected topic;
>
> **rejecting said proposed password when said user is correlated with said proposed password** if one or more of said predefined thresholds are exceeded by said results; and
>
> recording said one or more personal details as a password for said user if said proposed password is not rejected.
>
> **(emphasis added)**

Neither of Nelson, Ogura, Fallman, and Eitel teach or suggest what claim 1 recites — namely, the rejection of a proposed password based on the <u>correlation of the proposed password with the user.</u>

The present invention is for a technique for choosing passwords that cannot be easily determined by attackers. ***See* paragraph [0005] of the Specification.** Information extraction techniques are employed during the enrollment phase to verify the security of the questions and answers provided by the user. In particular a search is performed to determine <u>a correlation between the user and a password proposed by the user.</u> "For example, if a user selects a telephone number of a person, the information extraction techniques determine if there is a predefined relationship between the owner of the telephone number and the user, such as a family member (self, sibling or parent), co-author, college or member of the same household." ***See* paragraph [0026] of the Specification.**

The prior art references cited by the Office do not teach or suggest, alone or in combination, an arrangement in which <u>a correlation between the user and a proposed password is determined.</u>

Moreover, the Office seems completely to ignore the correlation aspects of claim 1. The Office wrote:

> …Fallman teaches: **performing an Internet search using a query containing one or more keyword derived from the input** entered by the user (said details of said proposed password as disclosed by Ogura and Nelson), wherein said Internet search searches contents of the Internet across a plurality of web sites using a search engine tool …
>
> Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Fallman with Nelson and Ogura to utilize an Internet search for the keywords entered by the user, since one would have been motivated to check the string/keyword against the Internet database to cover all occurring words that allow evaluation of the keyword/string [Fallman, paragraph 0007-0015]. of the search [paragraph 0014, 0015]. **Fallman doesn't expressively mention based on the predefined threshold. Eitel teaches: evaluating results of said search relative to one or more predefined thresholds** applicable to said at least one selected topic (input); rejecting said result if one or more said predefined thresholds are exceeded by said results [Fig. 3, col. 6 lines46-60].
>
> **Office Action dated 11/28/2008, pages 3 and 4**

Assuming that the assertions of the office are correct, they do not suggest that Fallman and Eitel teach <u>rejecting said proposed password when said **user is correlated with said proposed password** if one or more of said predefined thresholds are exceeded by said results.</u>

Although Eitel, indeed, teaches the use of thresholds, <u>Eitel does not teach, alone or in combination with the other references, the use of thresholds that measure the correlation between a user and a proposed password.</u>

For the foregoing reasons the applicants submit that the rejection of claim 1 is traversed.

Because claim 8 depends on claim 1 the applicants respectfully traverse the rejection of claim 8.

For similar reasons as for claim 1, the applicants respectfully traverse the rejection of claim 13.

Because claim 8 depends on claim 1, the applicants respectfully traverse the rejection of claim 8.

Because claim 20 depends on claim 13, the applicants respectfully traverse the rejection of the claim 20.

For similar reasons as for claims 1 and 13, the applicants respectfully traverse the rejection of claim 25.

35 U.S.C. 103 Rejection of Claims 2, 7, 11, 14, 19, and 23

Claims 2, 7, 11, 14, 19, and 23 were rejected under 35 U.S.C. 103 as being unpatentable over M. Nelson, U.S. Patent 7,062,655 (hereinafter "Nelson") in view of E. Ogura, U.S. Publication 2004/0078603 (hereinafter "Ogura") and further in view of D. Fallman, U.S. Publication 2004/0107406 (hereinafter "Fallman") and further in view of R. Eitel, U.S. Patent 7,043,521 (hereinafter "Eitel") and further in view of L. Honarvar, U.S. Patent 7,231,657 (hereinafter "Honarvar").

Because claims 2, 7, and 11 depend on claim 1, the applicants respectfully traverse the rejection of them.

Because claims 14, 19, and 23 depend on claim 12, the applicants respectfully traverse the rejection of them.

35 U.S.C. 103 Rejection of Claims 9, 10, 12, 21, 22, and 24

Claims 9, 10, 12, 21, 22, and 24 were rejected under 35 U.S.C. 103 as being unpatentable over M. Nelson, U.S. Patent 7,062,655 (hereinafter "Nelson") in view of E. Ogura, U.S. Publication 2004/0078603 (hereinafter "Ogura") and further in view of D. Fallman, U.S. Publication 2004/0107406 (hereinafter "Fallman") and further in view of R. Eitel, U.S. Patent 7,043,521 (hereinafter "Eitel") and Further in view of D. Kanevsky, U.S. Patent 5,774,525 (hereinafter "Kanevsky").

Because claims 9, 10, and 12 depend on claim 1, the applicants respectfully traverse the rejection of them.

Because claims 21, 22, and 24 depend on claim 13, the applicants respectfully traverse the rejection of them.

Respectfully,
Amit Bagga et al.
By **/Kiril Dimov/**

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